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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,881	11/13/2003	Russell R. Cook	139159	2322

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ALCATEL USA  
INTELLECTUAL PROPERTY DEPARTMENT  
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EXAMINER

CHAN, WING F

ART UNIT PAPER NUMBER

2643

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

10/712,881

Applicant(s)

COOK, RUSSELL R.

Examiner

Wing F. Chan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 6, 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez (US PAT. NO. 6,721,395 filed 12/22/097) in view of McCalmont et al (US PAT. NO. 6,771,742 filed Nov. 5, 2001, hereinafter McCalmont).

Regarding claims 1, 6, 11-13, Martinez discloses a method for communicating in a telephonic communication system for placing a call to a selected PSAP (e.g. 36) from a set of PSAPs (e.g. 36, 44, 52) by way of a call routing entity (e.g. SSP 34) of a set of call routing entities (e.g. SSP 34), and to provide selected information pertaining to the calling station (e.g. telephone 30 in Fig. 2) to the PSAP substantially as claimed, e.g. see abstract, Fig. 2. Martinez discloses forming a routing database (e.g. 74) containing a listing indexing together a calling station identity of the calling station and a public safety identity of at least one of the PSAPs, the database maintainable in communication connectivity with each call routing entity of the set of routing entities; routing the call when a calling telephone station 30 makes an emergency call, accessing from the call routing entity the routing database, to identify therefrom the selected PSAP to which further route the call, where the selected PSAP comprising the PSAP indexed together with the calling station (e.g. see TABLE I in col. 6). See col. 5 line 5 to col. 9 line 2 for example.

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Martinez differs from the claimed invention in not disclosing the database 74 is centralized. However, as clearly shown in Fig. 2 for example database 74 is 'centralized' in that it is being shared by the set of SSPs. Further Martinez in col. 5 lines 61-66, and in col. 8 lines 53-55 further discloses that the SSP can be taken as representing the end office and a 9-1-1 tandem switch; and it is old and well known in the art that a 9-1-1 tandem switch comprises a selective routing database for routing to a selected PSAP, for example see McCalmont Fig. 1, col. 6 lines 6-18. Thus in view of the above, it would have been obvious to one of ordinary skill in the art at the time the invention was made to realize that database 74 as disclosed by Martinez is a centralized database for providing routing information to a set of call routing entities as claimed since the tandem switch (SSP) only uses this database for routing information, instructions.

Regarding claims 2, 14, see STP 62 in Fig. 2.

3. Claims 3-5, 7-10, 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez as modified by McCalmont as applied to claims 12-14 above, and further in view of the admitted prior art as set forth in the background of invention in applicant's specification page 1 line 16 to page 4 line 21.

Regarding claims 3, 15, Martinez as modified by McCalmont differs from the claimed invention in not disclosing the PSAP is associated with an emergency services number. However, as is old and well known in the art each PSAP is associated with an emergency services number as required by NENA, for example see admitted prior art,

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page 3 line 3 to page 4 line 6 of applicant's specification. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the centralized routing database in Martinez as modified by McCalmont to comprise the ESN of the PSAP to associate each PSAP to each calling station to comply with NENA guidelines.

Regarding claims 4, 16, since in the United States NENA is involved in planning and implementing the 9-1-1 system, it thus would have been obvious to one of ordinary skill in the art at the time the invention was made to make the database NENA-compliant in order to work in the US.

Regarding claims 5, 7-10, 17-19, see Martinez col. 10 lines 26-35 and TABLE III, that discloses providing positional indicia information, e.g. MSCID, CELL SITE, associated with a (mobile) calling station.

Regarding claim 20, both landline and mobile information is embodied together in database 114, see Martinez col. 10 lines 26-35.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Examiner W. F. Chan** whose telephone number is 703-305-4732.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached at 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is 703-305-3900.

A handwritten signature in black ink, appearing to read 'Wing F. Chan', written in a cursive style.

WING F. CHAN  
SENIOR PRIMARY EXAMINER  
TECHNOLOGY CENTER 2600

WFC  
11/10/04